

DEPARTMENT OF HEALTH SERVICES

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CMSP Letter

January 12

TO: County Welfare Directors
CMSP Contact Persons

CHANGES IN THE COUNTY MEDICAL SERVICES PROGRAM (CMSP) ELIGIBILITY DETERMINATION
PROCESS

This is to advise you in writing of recent changes in the CMSP eligibility determination process as they relate to maintenance need levels, eligibility time period, family budget unit determination, and mandatory deductions. The specific changes are as follows:

MAINTENANCE NEED LEVELS:

As you were previously informed through all-county telephone calls, Medi-Cal maintenance need levels have been increased pursuant to Section 124.7 of Chapter 323, Statutes of 1983 (the "Budget Trailer Bill"). A separate maintenance need level for families consisting of two adults, also required by the above legislation, has now been adopted in compliance with the court order issued in the Minor vs Rank lawsuit. As you were instructed, these revisions are to be implemented immediately for CMSP and are effective retroactive to July 1, 1983.

Section 0603 of the CMSP eligibility manual requires that CMSP maintenance need levels comply with Medi-Cal maintenance need regulations. Therefore, the written instructions and maintenance need level changes contained in the Medi-Cal ACWD Letters 83-57 and 83-66 are to be followed in making the needed revisions for your CMSP caseload. A CMSP manual revision in this section will not be necessary at this time.

On November 30, 1983, the County Medical Services Program (CMSP) Small County Advisory Committee (SCAC) approved additional changes in the CMSP eligibility determination process as recommended by the SCAC Eligibility and Fiscal Subcommittees. The Department of Health Services concurs with the recommended changes and adopts these revisions effective January 1, 1984 as follows:

PERIOD OF ELIGIBILITY

The current three-month period of eligibility as defined in the CMSP manual has been extended to a twelve-month period. The monthly status report requirement will continue with a full application and face-to-face interview required only at initial application and yearly reapplication.

Counties now have the option of utilizing the new twelve-month reapplication process or continuing with the current three-month period of eligibility. Counties must specify in writing to the Department which period of eligibility they will use and the date they will implement any changes in their current period of eligibility. In the future, notice of

any changes in the period of eligibility must be provided in writing to the CMSP Unit at least thirty days in advance of their implementation.

The renewal process approved in CMSP CWD Letter 83-6 is no longer in effect and can not be used to restore eligibility in lieu of the full discontinuation/reapplication process.

Section 0703 (a) of the CMSP eligibility manual will be revised to reflect the change in the period of eligibility and the option available.

UNMARRIED PARENTS WITH CHILDREN IN COMMON

Effective with this change, unmarried parents with children in common have the option of being combined in the same family budget unit (CFBU); i.e., one share of cost is determined based on the combined incomes and a maintenance need level inclusive of all family members (both parents and ineligible Medi-Cal children). Only one budget computation, monthly status report, and share of cost form incorporating information about both parents is required when this option is utilized. (A separate share of cost form is required for the Medi-Cal child, although the share of cost is the same.)

Under CMSP, counties can not require that unmarried parents be in the same family budget unit, as California civil law provides no authority for requiring unmarried adults, with or without children in common, to be financially responsible for each other. Therefore, county workers must clearly explain to unmarried parents with children in common the advantages and disadvantages of each option so that an informed decision can be made by the applicants. Section 0373 (a) (4) (A) will be revised to reflect the above changes.

MANDATORY DEDUCTIONS

Beginning with the January, 1984 month of eligibility and for each month thereafter, counties are to apply the Ibarra v. Dawson lawsuit ruling requirements when determining share of cost for all mixed cases containing a CMSP parent and a Medi-Cal Child. As you recall, that ruling allows mandatory payroll deductions to be subtracted from earned income for share of cost determinations. Mandatory deductions for federal, state, and local taxes, Social Security payments, and state disability payments must be deducted first from the gross earned income of all persons in the CMSP/Medi-Cal mixed case. After these deductions have been subtracted, other deductions listed in Article Eight, sections 0553.1 through 0555.2 of the CMSP eligibility manual are to be taken in sequential order.

This revision is in compliance with manual section 0653 (a) (2) (A) that specifies that the share of cost of a mixed CMSP/Medi-Cal case shall be the same as the Medi-Cal Share of Cost. Article Eight will be revised to reflect the cited changes.

Please follow the instructions in the Medi-Cal ACWD Letter 83-30 regarding the revision of the share of cost forms, listings needed for payment of claims, acquisition of information, and letters to providers on behalf of beneficiaries. Please submit your weekly listings to: Thelma Reamer Ellison, Department of Health Services, Office of County Health Services, County Medical Services Program; 714 P Street, Room 523; Sacramento, CA 95814.

Although the CMSP is not under court order to implement Ibarra vs Dawson, the Office of County Health Services also requests that counties report the number of eligible cases identified as having a reduced share of cost and the number of cases having a zero share of cost as a result of this change. These reports are due by February 25, 1984, and should reflect January month-of-eligibility.

Thank you for your cooperation in these matters.

If you have questions regarding these changes, please contact Thelma Reamer Ellison at (916) 324-4202.

Sincerely,



Michael L. Rodrian, Chief
Information and Technical Support Section
Office of County Health Services

cc: CMSP Eligibility Liaisons
Health Officers
MISP Contact Persons